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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Judgment Creditor,

v.

EMMANUEL O. ASARE and SPRINGFIELD
MEDICAL AESTHETIC PC,

Judgment Debtors,

and

TD BANK, N.A.,

Garnishee.

15 CV 3556 (AT)

**FINAL ORDER
OF GARNISHMENT**

WHEREAS the Court entered judgment against the judgment debtors Emmanuel O. Asare (“Asare”) and Springfield Medical Aesthetic PC (“Springfield Medical,” and together with Asare, the “judgment debtors”) on August 5, 2020 in the amount of \$390,000.00, plus post-judgment interest accruing at the rate of 0.13%, pursuant to 28 U.S.C. § 1961;

WHEREAS as of August 22, 2022, the United States has recovered only one involuntary payment from the judgment debtors via the Treasury Offset Program in the amount of \$3,581.20, and the outstanding balance owed on the judgment is \$387,430.78;

WHEREAS, pursuant to 28 U.S.C. § 3201(e), the United States obtained an abstract of judgment on June 10, 2021 that was recorded in Suffolk County, New York on or about July 17 2021;

WHEREAS, pursuant to Federal Rule of Civil Procedure 69(a)(1) and N.Y. CPLR § 5222, the United States issued and served a restraining notice on TD Bank, N.A. on December 30, 2021, seeking substantial nonexempt property belonging or due to the judgment debtors;

WHEREAS, pursuant to 28 U.S.C. § 3205, the United States served a writ of garnishment on TD Bank on June 10, 2022 for the substantial nonexempt property previously withheld on the restraining notice;

WHEREAS as of July 8, 2022, TD Bank held the following property pursuant to the restraining notice and writ of garnishment:

Account No.	Holder	Amount
ending 8488	Emmanuel O. Asare & Juliana Baddoo-Asare	\$100,046.62
ending 2550	Emmanuel O. Asare	\$3,352.92
ending 3881	Springfield Medical Aesthetic PC	\$30,295.40
Total		\$133,694.94

WHEREAS the United States served the attorney for the judgment debtors with the garnishment process pursuant to 28 U.S.C. § 3202;

WHEREAS the Court held a hearing on August 3, 2022, and received supplemental briefing from the parties regarding the claimed exemptions and objections made by the judgment debtors;

WHEREAS the Court entered an order denying Asare's claimed exemptions and granting the United States' motion for garnishment;

IT IS HEREBY ORDERED that garnishee, TD Bank, N.A., shall submit the full liquidated value of the accounts withheld pursuant to the writ of garnishment, as substantial nonexempt property of the judgment debtors, in partial satisfaction of the judgment.

Payments should be made electronically via www.pay.gov to CDCS Account No. 2021A49029 or by certified check made payable to “United States Department of Justice” with Court No. 15-CV-3556 noted on the face of each payment mailed to:

U.S. Department of Justice
Nationwide Central Intake Facility
P.O. Box 790363
St. Louis, MO 63179-0363

Dated: New York, New York
October 13, 2022



ANALISA TORRES
UNITED STATES DISTRICT JUDGE